

## THE CITY

Weather Today  
Fair, Cooler.

## TOWN TALK.

There is a telegram at The Herald office for Hunter Woodson.

Miss Grace Davi and Mr. E. I. Bill will be at St. Mary's church this morning.

Carrie Taylor and Annie Peterson, sold down, were arrested by the police last night.

The Empire and Troy laundry men will play a game of baseball at Beck's Hot Springs this afternoon.

Governor Wells yesterday commissioned James R. McFarland justice of the peace of West Weber precinct, Weber county.

A marriage license was yesterday issued to Robert C. Nelson, aged 22, and Hannah C. Larson, aged 23, both of Murray, this county.

There is talk of an encampment of the First battalion, Second Regiment, N. G. V., somewhere in Cache valley in the near future.

At 8 a. m. yesterday the thermometer registered 64 at noon 82, and at 6 p. m. 55, the maximum temperature being 90 and the minimum 18.

The Utahians after a vacation of two months, will resume their services this morning at Utah hall. Rev. Asahel L. Hudson will preach upon "Work and Wages."

John Hall was arrested by the police early this morning and charged with peddling. The allegation is that he stole a watch from a man named Hutchinson, who stops at the Grand Pacific hotel.

J. B. Morris received word yesterday that his son Robert had successfully passed the examination admitting him to the United States naval academy at Annapolis, Md. It is well placed over the good news.

There will be a militia encampment at Farmington commencing on Saturday evening next. The battery will go up camp on Monday next and will have a target practice with three-inch guns. It is likely that the Ogden battery will come down in addition there will be two infantry companies.

A false alarm of fire was turned in at an early hour this morning from the corner of Second North and Center streets. This is the third false alarm which has been given from the same box within a week. Some miscreant evidently has become possessed of the key to the box and is having lots of fun.

The report of the health department for the week just closed shows eight deaths, seven of which were from typhoid fever, twenty-five births reported, fourteen males and eleven females. There are now eight cases of scarlet fever in the city. Six new cases of typhoid fever were reported during the week. Twenty-nine milk tests were made, all showing good percentages of fat.

The hours at the postoffice tomorrow, Labor Day, will be as follows: The regular department will be open for delivery only from 9 a. m. until 12 m., while the letter and general delivery departments will be open from 9 a. m. until 5 p. m. The money order department will be closed. Carriers will make two deliveries in the business district and one in the residential district.

Licenses Collector George Olson got after the peddlers yesterday and a tour through the city was made to see that many of the peddlers were selling goods that were not theirs. The collector also made a tour through the city to see that many of the peddlers were selling goods that were not theirs.

Abstracts furnished, titles insured, interest paid on deposits by Utah Title Insurance and Trust company, 106 Main street.

**Utah Commercial and Savings Bank.**  
General banking business; pays 5 percent on deposits. F. Armstrong, pres.; F. W. Madison, vice-pres.; J. A. Jennings, cashier; 24 E. 1st South street.

**Morphine and Alcohol.**  
Habit permanently cured at the Keeley Institute, 340 West Second North, under direct supervision of Dr. Keeley.

Improved and painless methods of dentistry. Dr. E. M. Keyser, 162 Main street, Scott-Auerbach building.

The Weber Coal company is prepared to deliver any quantity of coal from one sack to a carload. Rock Springs, \$4.75 per ton; Weber, \$4.50 per ton.

48 and 50 Main Street.

See our new store and ask to see our bargains in silks.

R. K. THOMAS DRY GOODS CO.

**Seidenburg's "Solitor" Cigar.**  
Is the highest grade domestic cigar made. The Rogers Cigar Co. Wholesale Agents.

**Dress Goods.**  
An advance shipment of new fall dress goods just received and being offered much under value.

R. K. THOMAS DRY GOODS CO.

**Shoes!**  
We have just bought a large bankrupt stock of shoes and will sell them at 50c on the dollar.

R. K. THOMAS DRY GOODS CO.

**Your druggist sells Wa-sat-ka; 5 cents per glass.**

**RAIL RATES FOR LABOR DAY.**

September 6 and 7.

Via Union Pacific. Tickets good returning Sept. 8. Sold to all points.

Seidenburg's Havana cigars. The Rogers Cigar Co. Wholesale Agents.

**LABOR DAY EXCURSION.**

Via Union Pacific.

Sept. 6 and 7 round trip tickets will be sold to all points in Utah, at one single fare, good returning until Sept. 8.

**Saltair Kitchens.**

J. G.'s new confections will be sold today at 15c per package.

For painless dentistry call on Dr. E. M. Keyser, 162 Main street, Scott-Auerbach building.

Wa-sat-ka mineral water in siphons, \$1.25 per dozen. Telephone 382.

## FUNERAL ARRANGEMENT

Remains of the Late F. H. Auerbach Will Arrive Today.

## WILL BE TWO SERVICES

HON. THOMAS MARSHALL WILL MAKE A BRIEF ADDRESS.

Grand Lodge of Utah, I. O. O. F., Will Have Charge of the Public Services at the Jewish Synagogue—Action Taken by the Chamber of Commerce Yesterday.

At 1:30 this afternoon the remains of the late Frederick H. Auerbach will arrive here over the Union Pacific. Accompanying the body are Theodore H. Auerbach of Boston, a brother of the deceased, and Max Brummer of New York and A. L. Jacobs of Salt Lake, nephews.

Several relatives will go up to Ogden this morning and return with the remains.

## THE FUNERAL.

Herman Bamberger, Emanuel Kahn and Henry Cohn, the committee having charge of the funeral, have made the following arrangements for the sad affair:

Friends of the deceased desiring to view the remains will be given the opportunity Sunday afternoon from 2:30 to 3:30 o'clock, at the residence of Mrs. Rosa G. Meyer, 215 East Second South street.

Private religious services will be held Monday morning at 10 o'clock, at the residence of Mrs. Rosa G. Meyer.

At the close of the services at the residence (about 19:30) the remains will be taken, under escort of the I. O. O. F., to the Jewish synagogue, Fourth East street between Second and Third South streets, where public services will be held under the auspices of the Grand Lodge of Utah, I. O. O. F.

A few remarks will be made by the Hon. Thomas Marshall.

The various organizations of which the deceased was a member will be invited to send a delegate to the funeral. The delegates will be seated in the front of the synagogue, and the general public will be seated in the rear.

The funeral cortege will be formed under the supervision of Herman Bamberger in the following order:

I. O. O. F., Grand lodge of Utah.

Rebels.

Full bearers.

Hearse.

Family.

Employees.

Freemasons.

Organizations.

Interment in the Jewish cemetery.

## CHAMBER OF COMMERCE.

The chamber of commerce yesterday adopted the following sentiment, expressing the profound regret of that body of the death of its honored president.

For the second time during the current year death has served his dread summons upon this directory, and again its members are called upon to bury the life and virtues of a distinguished citizen.

In the midst of a busy life—in the full enjoyment of perfect physical health, with his mental faculties devoted to the highest mark, Frederick H. Auerbach, president of this chamber, has been removed from the scene of his earthly labors. His demise, while it concerns the members of the family circle first, is a loss to the people of this city and of this state so deplorable and so far reaching in its effects as to be beyond expression in words.

Simple and unostentatious, he blended in his nature all the fruits of heart and mind which make men beloved in life and cause their memories to be revered after death. So keen was his intellect that he was enabled to grasp the most momentous questions and decide upon them in a trice and so modest was he, that about his numerous gifts for charity and public purposes he never had a tongue. It was his pleasure to assume that every application to him for a donation was the furtherance of a just and noble cause.

Like the rays of a pure and flawless crystal which without a shadow reflects and scintillates, his character shone with undiminished luster and was an example of all that is best and truest in human life.

With an open purse to those in need of aid, he was a tower of strength to the fallen. In everything else which tends to develop all that is best in human life, he passed one by one the milestones of the years and stayed not his progress until God's finger touched him and summoned him to rest.

Mourning sincerely his departure, we are consoled with the reflection that he was not called away until he had attained to the fullest measure of success, and until his virtues were widely known. With these consolations we accept the inevitable and bow to the will of the Creator.

**City Council Will Attend.**  
All members of the city council are requested to meet Monday, Sept. 7, at 9:30 a. m. at the city and county building in order to attend the funeral of the late F. H. Auerbach in a body.

G. P. NEWELL, President.

## Young Men's Christian Association.

At the meeting of the board of directors of the Young Men's Christian Association held yesterday the following resolution was adopted and ordered spread on the minutes of the meeting, and a copy sent to the relatives of the deceased:

Resolved, That we sympathize with the bereaved family, and we are confident that God will call from our midst Mr. Frederick H. Auerbach, one of our most esteemed, respected and benevolent citizens, and

Whereas, In his death this community suffers an almost irreparable loss, and the Young Men's Christian Association loses a firm friend and generous contributor,

Therefore be it Resolved, That the Young Men's Christian Association express to his relatives and the public our heartfelt sympathy and the sorrow that has come to us in the death of one of our most beloved and useful citizens.

Unanimously adopted by the Young Men's Christian Association.

EDWARD V. SILVER, Secretary.

JOHN T. AXTON, President.

**LA COTERIE.**  
La Coterie commenced the year's work Tuesday at the home of Mrs. R. Smith. After the minutes of the last meeting were read and approved, and the transaction of some business the ladies responded to the roll call with reminiscences of the summer vacation.

The president gave her annual address, briefly touching on the work of the coming year, the importance of the first half of the eighteenth century in history and the necessity of thorough preparation of one's subject. If the desired benefit is to be received, some much needed counsel was given as to the work of the coterie and the acceptance of criticism to the betterment of the club. All were admonished to be punctual in attending the meetings.

The views expressed, if carried out would do much to advance La Coterie to the front. Delicious refreshments were enjoyed. The club then adjourned to meet in two weeks at the home of Mrs. Warner.

**Notice.**  
A. O. U. W. Temple lodge No. 15, The members of No. 15 are requested to meet at their hall in Odd Fellows' temple on Market street on Sunday, September 6, at the hour of 12:30 o'clock p. m. to attend the funeral of our deceased brother, Michael J. Walsh.

The members of Nos. 12, 19 and 2, and all sojourning brothers are cordially and earnestly invited to attend.

The D. of H. is also cordially invited to attend the service at the Catholic cathedral on Second East street, and to all to accompany the remains to its last resting place. Transportation will be furnished.

JOHN FARRINGTON, M. W.

Get ready for school.

The best school shoes in the land for sale at lowest prices.

SPENCER & LYNCH CO., 124 Main.

Good Shoes for Everybody.

**Open Tuesday.**  
Madame Vivian Jones has just returned from New York and will open our dressmaking parlors, Tuesday, Sept. 8.

WALKER BROS. DRY GOODS CO.

## DIVORCE MILL AT WORK

Four Unhappy Couples Released From Galling Chains.

## ATTORNEY ROGERS' ANSWER

SAYS STEVENS' CHARGES ARE UNTRUE AND MALICIOUS.

A Man of Twenty-six an Inmate of the Reform School—The Jurors' Fees Problem Up on Demurrer—Burglar Sweigart Sent Up For Two and a Half Years—Short Orders, Probate Matters and General Court News.

The divorce mill worked at a lively rate yesterday, five cases coming up before Judge Ritchie, in four of which decrees were granted and one taken under advisement.

The first applicant for relief was Della Buckley who, through her attorneys, Powers, Straup & Lippman, sought freedom from John B. Buckley. The parties intermarried on November 28, 1883, and Mrs. Buckley testified that for two years the defendant had been addicted to the excessive use of intoxicating liquors and had failed to support his family. This testimony was corroborated and Mrs. Buckley, the defendant failing to appear, was granted the decree and the custody of their 10-year-old boy.

**Benbrook vs. Benbrook.**  
Kate E. Benbrook applied for divorce from John H. Benbrook and as in the previous cases the defendant failed to appear and the decree was granted by default. Powers, Straup & Lippman representing Mrs. Benbrook.

The parties intermarried on December 4, 1882, at Globe, Arizona, and it appeared from the testimony that the defendant, who is employed in the gambling establishment known as the Sheep Ranch in this city, and a part owner in the same, wilfully failed and neglected to support his wife or to provide her with the common necessities of life. The decree was granted and the plaintiff allowed to resume her maiden name of Kate E. Bemis.

**Another Deserter.**  
Then came Carrie Barnes against Otto H. Barnes, Powers, Straup & Lippman representing the plaintiff and the defendant allowing the decree to be taken by default.

The marriage took place in Chicago, Ill., on January 7, 1891, and five years later the defendant deserted the plaintiff and since has contributed nothing to her support.

**The Wife Went Away.**  
In the next case Charles H. Tuckett was the plaintiff and Alice V. Tuckett the defendant, and the divorce was granted by default on the grounds of desertion. The marriage took place at Ogden on July 1, 1890, and the defendant left plaintiff's home at Sandy on September 15, 1893, and never came back.

W. H. Bramel was the attorney for the plaintiff.

**Additional Proof.**  
The case of John F. Byron against Elizabeth Byron in which the plaintiff sought for divorce on the grounds of desertion, was again called up yesterday. The plaintiff alleged that the defendant had deserted him in England, sixteen years ago, and that there were three children living. He came to Utah two years ago and his wife refused to join him or allow the children to do so, although he had provided means for them to come. At the hearing a week ago proof that Mrs. Byron had refused to come was wanting and the case was continued. Yesterday further evidence to the effect that the wife had declared she would not come to Utah was introduced and his honor took it under advisement.

H. A. Smith was the attorney for the plaintiff.

**Attorney Rogers' Answers.**  
Says Stevens' Charges Are Untrue and Malicious.

Attorney Lindsay R. Rogers yesterday filed in the office of the clerk of the state supreme court his answer to the charges of unprofessional and dishonest conduct preferred against him some few weeks ago by Sidney Stevens.

Mr. Rogers goes into considerable detail in his answer, which is a denial of all the charges, and alleges by Stevens and his agent that it is apparent that the information filed against him by Mr. Stevens is not filed in good faith or with honest intentions, but the information is carefully drawn up so as to suppress the real facts and by such a garbled statement to attempt to besmear the character of Rogers by causing the said statement to be published in the public press. That the said statement is instigated solely by a petty and malicious design on the part of said Stevens to cause Rogers trouble and annoyance and at the same time by Stevens and his agent to injure him, his good name and reputation by filing charges which have once been passed upon by a court of competent jurisdiction.

Mr. Rogers denies that the memorandum of costs filed by him in the case of Stevens vs. Pincock was false or untrue, but on the contrary says that according to the records of the Fourth district court the memorandum of costs was true and correct. It is also denied that the accused ever undertook to prosecute a suit for foreclosure on behalf of Stevens and denied that he received from Stevens \$425.45 or any other sum in part satisfaction of a judgment so obtained and failed to turn over the same to the plaintiff, Stevens, and that he failed to return the suit was undertaken by the firm of Evans & Rogers, and that they well and faithfully accounted to Stevens for all moneys collected by them as his attorneys and it is denied that any demand was ever made upon Rogers individually by Stevens for the money so collected.

Mr. Rogers then alleges that he is worth many thousands of dollars in tangible property, that he well known to Stevens, and is abundantly able to meet all equitable and just demands of Stevens or any others, and further that Stevens in making the charges is actuated by personal feeling because Rogers was attorney against him and his sons in fourteen cases, all of which but one were decided against Stevens, and that the reason Stevens has thus avowed and open enemy and actuated by hatred and malice filed the charges.

**NOVEL CASE.**  
Man Twenty-six Years Old in the Reform School.

A novel citation was made in Judge Hiles' court yesterday when Lee Wood was brought forward to show cause why he should not be removed from the Reform school to the penitentiary. Wood was implicated with some others of off color character in a burglary. His companions were tried, found guilty and sent to the penitentiary. Wood, who is of youthful appearance, gave his age at 17 and instead of being sent to the penitentiary was committed to the reform school. When he had been there a little while he developed a growth of beard and whiskers resembling in strength the quills of the frugal porcupine which, with other circumstances, showed conclusively that Wood instead of being only 17 years of age, was at least 21 again and he subsequently confessed to 26 summers and a corresponding number of winters. Anyone over 21 is not a subject for reform school discipline hence the application to transfer him to the pen.

But the question arises as to whether Wood can be sentenced and if not he must be turned loose as his detention in the reform school after the age of 21 is illegal. There does not seem to be any law filling the case and what will be the outcome is a matter of conjecture. The hearing was continued until October 3 and the defendant in the meantime remained to the custody of the sheriff. John H. Murphy is Wood's attorney.

**JURORS' FEES.**  
Which is Liable, the State or the County?

The suit brought by Salt Lake county against Morgan Richards, Jr., state auditor, for a writ of mandamus to compel the auditor to issue state warrants for juror fees in civil cases came up on demurrer before Judge Street. The act of the legislature makes it clear that the state shall pay juror fees in criminal cases, but in regard to civil cases it is an uncertain and in fact contradictory that whether it is intended that the state should pay civil jurors or that their pay be a charge against the county is not certain, and in order to have the point authoritatively passed upon the present suit was brought.

The defendant demurred on the ground that the petition was uncertain in that it appears from the petition that certain certificates were issued by the clerk of the Third district court for mileage and attendance of petit jurors engaged in the trial of both civil and criminal cases in the district court, but it is impossible to tell from the petition which of the certificates or what part of the same were issued for mileage and attendance of petit jurors engaged in the trial of civil cases.

County Attorney Whittemore, on behalf of the county, made the argument against the demurrer and the attorney-general and Attorney Benner X. X. in support of it after which his honor took it under advisement.

It seems to be one of those cases, however, that this county will be a gainer by the result, but the least honorable counties of the state the reverse is the case.

**Burglar Sentenced.**  
Albert Sweigart, who was found guilty of burglarizing the Consolidated mercantile company's place on State street, was brought up before Judge Hiles for sentence. Prior to the sentence being passed a motion for a new trial was argued and overruled, and the defendant was sentenced to the penitentiary for a period of two and a half years.

**Sanitarium Receivership.**  
The application of C. H. Jacobs and Frank Knox, receivers of the Bank of Salt Lake, for the appointment of a receiver for the Salt Lake Sanitarium company as part of the assets of the Bank of Salt Lake, was called up before Judge Street and continued to next week. The defendant, Bacon, Tunnicliff et al., filed a demurrer to the complaint on the ground that the complaint did not state facts sufficient to constitute a cause of action.

**Short Rulings.**  
N. M. Adams vs. Catherine Hlentz Groesbeck et al.; judgment and decree of foreclosure for the plaintiff.

Robert A. Davison vs. Angus McKellar et al.; W. R. Barrett appointed receiver on filing a bond in the sum of \$200.

Frank Thompson et al. vs. C. V. Veatch et al.; judgment and decree of foreclosure and of C. V. Houston appointed receiver on filing a bond in the sum of \$200.

H. W. Fuller vs. Albert Smith et al.; demurrer to complaint sustained and ten days allowed to amend.

P. L. Schmidt vs. M. J. Kellogg; motion for a new trial overruled.

Jones vs. William McQueen et al.; demurrer to complaint argued and submitted.

Amelia Jones et al. vs. William Anderson; demurrer to complaint sustained and ten days to answer.

Joseph & Grofe vs. Olaf Shugnon; judgment for plaintiff.

James W. Wainwright vs. company; demurrer to complaint sustained.

**Dissenting Opinion.**  
Judge Street yesterday filed a dissenting opinion in the case of the Crescent Mining company against the Silver King Mining company appellant, and matter taken up on appeal in the judgment upon the appeal in so far as it vacates and sets aside the interlocutory injunction, but dissent from so much of the order made as preserves the status quo in the case of the Silver King Mining company.

Respecting the following mining claims, to-wit: The Aetna lot 136, the Hecla lot 157, the Rebellion lot 133, the Climax lot 174, the Senate lot 235, the James A. Carleton lot 236, the Walker and Walker Extension lot 40.

**Probate Orders.**  
Estate of Caroline C. Donelson, deceased; administrator authorized to compromise claim against C. M. Donelson for the benefit of the estate.

Estate of Joshua Robinson, deceased; proof taken on petition for sale of real estate and objections thereto, and matter taken up on appeal.

Estate of W. H. Groves, deceased; final account allowed and petition for distribution granted.

Estate of Solomon Jacobson, deceased; sale of real estate confirmed.

Estate of Ebenezer Brown, deceased; petition for partition granted.

Estate of Andrew Rabbit, deceased; executor's first annual account approved.

**Court Notes.**  
Frank Barnett was arraigned before Justice Hiles on a charge of stealing a ride on the Rio Grande Western company's train. He is one of the gang of youths who set out on a tour of adventure, but were stopped at the depot by the intervention of the sheriff. His hearing was set for October 3, and in the meantime he is the guest of Sheriff Hardy.

Frank Thompson, executor of the will of the late James Thompson et al., are suing C. W. Veatch et al. to recover \$1252 balance alleged to be due on a promissory note secured by a mortgage. Peter Mortensen, a native of Denmark, now a resident of Salt Lake county, was admitted to citizenship.

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